

REMARKS

This Amendment is being filed in response to the Final Office Action mailed May 8, 2007, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, the specification has been amended for better conformance with FIG 1.

In the Final Office Action, claims 1-26 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over WO 99/01984 (Maissel) in view of U.S. Patent No. 5,031,228 (Lu). It is respectfully submitted that claims 1-26 are patentable over Maissel and Lu for at least the following reasons.

Maissel is directed to a subscriber unit for use in a television system. The subscriber unit includes a profile storage unit for storing at least one viewer preference profile of at least one television viewer. An intelligent agent of the subscriber unit customizes the program schedule information, based on the viewer preference profile, to produce a program guide including customized

program schedule information. As correctly noted by the Examiner, Maissel does not teach or suggest automatically detect which users. Lu is cited in an attempt to remedy the deficiencies in Maissel.

Lu is directed to an image recognition system. It is respectfully submitted that Maissel, Lu and combination thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 6-7 and 24 which, amongst other patentable elements, requires to (illustrative emphasis provided):


automatically detect which users of the plurality of entertainment system users are currently within a predetermined hearing range of the entertainment system using the voice recognition system.

Based on the foregoing, Applicants respectfully submit that independent claims 1, 6-7 and 24 are patentable over Maissel and Lu, alone or in combination, and notice to this effect is earnestly solicited. Claims 2-5, 8-23 and 25-26 depend from one of the claims 1, 7 and 24 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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